



U.S. Department of Justice

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

August 26, 2021

**BY ECF**

The Honorable J. Paul Oetken  
United States District Judge  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, New York 10007

Re: *United States v. Lev Parnas and Andrey Kukushkin*, S3 19 Cr. 725 (JPO)

Dear Judge Oetken:

The Government writes to notify the Court that today, a Grand Jury sitting in Manhattan returned a superseding indictment in the above-captioned case (the "S3 Indictment"). The Government respectfully submits this letter to identify the differences between the charges contained in the S3 Indictment and the charges contained in the prior indictment. As discussed below, the S3 Indictment does not add new charges and will not result in production of any new discovery or disclosures. Rather, the S3 Indictment only makes organizational and minor wording changes, and is limited to the defendants and charges that will be the subject of the upcoming trial.

Count One of the S3 Indictment charges Lev Parnas and Andrey Kukushkin with conspiracy to make contributions by a foreign national, in violation of 18 U.S.C. § 371 and 52 U.S.C. §§ 30121, 30122, and 30109(d)(1)(A) and (D). Count One of the S3 Indictment is identical to Count Four of the prior indictment, except that the objects of the alleged conspiracy in paragraph 1 have been reordered. Count Two of the S3 Indictment charges Parnas with solicitation of a contribution by a foreign national, in violation of 52 U.S.C. §§ 30121 and 30109(d)(1)(A), and 18 U.S.C. § 2. Count Two of the S3 Indictment is identical to Count Five of the prior indictment. Count Three of the S3 Indictment charges Parnas and Kukushkin with making a contribution by a foreign national, in violation of 52 U.S.C. §§ 30121 and 30109(d)(1)(A), and 18 U.S.C. § 2. Count Three of the S3 Indictment is identical to Count Six of the prior indictment. Count Four of the S3 Indictment charges Parnas with conspiracy to make contributions in the name of another, in violation of 18 U.S.C. § 371 and 52 U.S.C. §§ 30122 and 30109(d)(1)(A) and (D). Count Four of the S3 Indictment is identical to Count One of the prior indictment, except that the objects of the alleged conspiracy in paragraph 5 have been reordered and the language describing the overt acts in paragraph 6 has been revised. Count Five of the S3 Indictment charges Parnas with false statements to the Federal Election Commission, in violation of 18 U.S.C. §§ 1001(a)(2) and 2. Count Five of the S3 Indictment is identical to Count Two of the prior indictment. Count Six of

the S3 Indictment charges Parnas with falsification of records, in violation of 18 U.S.C. §§ 1519 and 2. Count Six of the S3 Indictment is identical to Count Three of the prior indictment.

While the S3 Indictment does not contain Count Seven of the prior indictment, which charged Parnas with conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349, because that charge was previously severed. The Government intends to proceed on that charge against Parnas at a future trial.

The S3 Indictment adds no new charges or allegations, and in no way reflects any change to the conduct that will be the subject of trial. The S3 Indictment will not result in any new discovery or disclosures that were not already previously made or being made.

The Government respectfully requests that the Court schedule the defendants' arraignment on the S3 Indictment at the final pretrial conference and exclude time, pursuant to the Speedy Trial Act, from today until the date of trial so that the parties can prepare for trial.

Respectfully submitted,

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Southern District of New York

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Cc: Defense counsel (by ECF)